

RESOLUTION # 248-8.12

**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH
INTERNATIONAL FIREWORKS MFG. CO., INC. FOR THE 2012 HERITAGE DAY
FIREWORKS DISPLAY**

WHEREAS, the Township of North Brunswick Department of Parks, Recreation & Community Services has planned a fireworks display for the Township's Heritage Day on September 29, 2012 (Rain date of September 30, 2012); and

WHEREAS, International Fireworks Mfg. Co., Inc. has agreed to provide the Township with a fireworks display for Heritage Day for the amount of \$4,000.00, pursuant to the terms and conditions contained in the attached Contract; and

WHEREAS, the attached Contract is exempt from the public bidding requirements as such Contract is below the bid threshold requiring public bids in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of North Brunswick that the Mayor or the Business Administrator, with the Township Clerk as witness, are hereby authorized to execute the Contract and Hold Harmless Agreement for Fireworks Display with International Fireworks Mfg. Co., Inc. for Heritage Day on September 29, 2012 (Rain date of September 30, 2012) in the amount of \$4,000.00, in a form substantially the same as that attached hereto, such fireworks display to be undertaken by the operator, International Fireworks Mfg. Co., Inc. pursuant to N.J.S.A. 21:3-1, et seq., and more particularly N.J.S.A. 21:3-3, subject to the following terms and conditions:

1. Receipt of approval by the Chief of the Police and Fire Department in accordance with the terms set forth hereinabove;
2. The posting of adequate surety which may be cash, government bonds, personal bond, or other form of insurance in a sum of not less than Two Thousand Five Hundred Dollars (\$2,500.00), pursuant to N.J.S.A. 21:3-4 in a form acceptable to the Township Attorney;
3. The furnishing of the necessary Certificates of Insurance to the Township in a form acceptable to the Township Attorney;
4. The presentation of International Fireworks Mfg. Co., Inc.'s Fire Safety Certificate (Rules);
5. The presentation of International Fireworks Mfg. Co., Inc.'s drivers' Safety Documents;
6. Proof of issuance by International Fireworks Mfg. Co., Inc., of its FAA Notification Letter;
7. Proof from International Fireworks Mfg. Co., Inc., of its Worker's Compensation and Employers Liability Policy; and
8. Receipt of the Plot/Site Plan for the fireworks' display.